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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No.4207 OF 2006

PETITIONER Om Prathamik Sahkari
Upbhokta Bahndar
Maryadit Kailash Chowk Kumharpa
Ward No.23, Bhilai, District – Durg,
Chhattisgarh.
Through – Its Vice-President,
Kapildev, S/o. Shri FAKIR Chand,
Aged about 38 years, R/o. Ward
No.23, Kailash Chowk, Kumharpara,
Bhilai District – Durg Chhattisgarh.

Vs.

RESPONDENTS

1. State of Chhattisgarh, Through The Chief Secretary, State of Chhattisgarh, DKS Bhawan, Mantralaya, Raipur (C.G.)
2. The Secretary
Department of Civil Supplies, State of Chhattisgarh.
3. The Sub-Divisional Officer,
(REVENUE) Sub-Division, Durg
Chhattisgarh.
4. The Collector, (FOOD) Govt. of
Chhattisgarh, Durg – 491 002. (C.G.)

Present : Shri B.P. Rao, learned counsel for the petitioner.

Shri Yashwant Singh, learned G.A., for the State and its authorities

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ORAL ORDER
(Passed on 11th August, 2006)

The case of the petitioner, in brief, is that in pursuance of the notification issued by the first respondent calling for applications from the eligible candidates for grant of authorization to establish and run a fair price shop at Kailash Chowk, Kumharpara, Ward No.23, Bhilai, Distt. Durg, the petitioner has submitted an application. The complaint of the petitioner is that the application is not yet considered by respondents 3 and 4 who are empowered to grant authorization. It is not the case of the

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petitioner that keeping the petitioner's application pending, respondents 3 and 4 considered the applications of others and granted authorization to establish and run a fair price shop at Kailash Chowk, Kumharpara, Ward No.23, Bhilai, Distt. Durg. It is not the vested right of the petitioner that respondents 3 and 4 should grant authorization as sought for. When respondents 3 and 4 proceed to grant authorization to establish and run a fair price shop at Kailash Chowk, Kumharpara, Ward No.23, Bhilai, Distt. Durg, they are required to consider all applications received by them with regard to the above shop and grant authorization to a most suitable candidate keeping in mind the public interest. That stage is not yet reached. The writ petition is, therefore, dismissed subject to the above observations. No costs.

Sd/-
Chief Justice